

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of License 3227 (Application 11543)
Robin C. Stocum

ORDER REVOKING LICENSE

SOURCE: Unnamed Spring tributary to East Fork of North Fork of Trinity River
COUNTY: Trinity

WHEREAS:

1. A Report of Licensee form dated April 19, 2004 has been received from the Licensee, requesting revocation of the license by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

Therefore, it is ordered that License 3227 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

STATE WATER RESOURCES CONTROL BOARD



*Victoria A. Whitney, Chief
Division of Water Rights*

Dated: NOV 04 2005

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 11543 PERMIT 6741 LICENSE 3227

ORDER CORRECTING DESCRIPTION OF THE
POINT OF DIVERSION, PLACE OF USE,
AND AMENDING THE LICENSE

WHEREAS:

1. License 3227 was issued to Francis W. Hesser and was filed with the County Recorder of Trinity County on July 23, 1951.
2. License 3227 was subsequently assigned to Robin C. and Eileen C. Stocum.
3. A request to correct the description of the Point of Diversion and Place of Use has been filed with the State Water Resources Control Board (Board).
4. The 1982 USGS 7.5' Quadrangle provisional map of Helena shows the Point of Diversion and Place of Use as being within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 16, T34N, R11W, MDB&M. License 3227 describes the Point of Diversion and Place of Use as being within Section 21, T34N, R11W, MDB&M. Corrections to the descriptions of the Point of Diversion and Place of Use are needed to conform with the revised map.
5. The Board has determined that said corrections will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said corrections.
6. The condition pertaining to the Board's continuing authority should be updated to conform to Standard Permit Term 12 as contained in Section 780(a), Title 23, of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The condition of the license related to the Point of Diversion be amended to read:

Within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 16, T34N, R11W, MDB&M. Also described as California Coordinate System, Zone 1, North 530,350 and East 1,688,250.

(0000002)


3. The condition of the license related to the Board's continuing authority be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: FEBRUARY 05 1991

for 
Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 11543 PERMIT 6741 LICENSE 3227

ORDER CORRECTING DESCRIPTION
OF THE POINT OF DIVERISON, PLACE OF USE,
AND AMENDING THE LICENSE

WHEREAS:

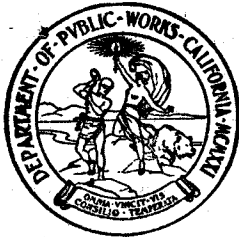
1. License 3227 was issued to Francis W. Hesser and was filed with the County Recorder of Trinity County on July 23, 1951.
2. License 3227 was subsequently assigned to Robin C. and Eileen C. Stocum.
3. A February 5, 1991 Order correcting the description of the Point of Diversion and Place of Use contained a typographical error. The California Coordinate system should read Zone 1, North 535,350 and East 1,688,250.
4. The Board has determined that said correction will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The condition of the license related to the Point of Diversion be amended to read:

Within the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 16, T34N, R11W, MDB&M. Also described as California Coordinate System, Zone 1, North 535,350 and East 1,688,250.

(0000002)



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS.
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 11543

PERMIT 6741

LICENSE 3227

Notice of Assignment (Over)

THIS IS TO CERTIFY, That **Francis W. Hesser**
1392 La Playa Street
San Francisco, California

has made proof as of **September 14, 1949**

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed spring in Trinity County

tributary to **East Fork of North Fork of Trinity River**

for the purpose of **domestic use**

under Permit **6741** of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from **September 10, 1946; and**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **six thousand seven hundred**
(6700) gallons per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located **South seven hundred (700) feet**
and East one hundred fifty (150) feet from NW corner of Section 21, T 34 N,
R 11 W, M.D.B. & M., being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 21.

A description of the lands or the place where such water is put to beneficial use is as follows:
Within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, T 34 N, R 11 W, M.D.B. & M.